

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

AUG 16 2010

JULIA C. DUDLEY, CLERK
BY: *Dudley*
DEPUTY CLERK

ANTHONY T. STEWART,)
Petitioner,)
v.)
DANIEL T. MAHON, WARDEN,)
Respondent.)
)

) **Civil Action No. 7:10cv00207**

) **FINAL ORDER**

)

) **By: Samuel G. Wilson**
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is **ORDERED** and **ADJUDGED** that respondent's motion to dismiss is **GRANTED**, petitioner's petition is **DISMISSED**, and this action is **STRICKEN** from the court's docket.

The court finds that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1) and **DENIES** a certificate of appealability.

ENTER: August 16, 2010.

